

REMARKS

This application has been reviewed in view of the Office Action mailed on May 11, 2006. Claims 1-5, 7-8 and 21-23 are pending in the application with Claims 1 and 21-23 being in independent form. By the present Amendment, Claims 1 and 21-23 have been amended in part. No new matter is believed to be introduced by the amendments.

In the Office Action, it was provided that Claims 1-5, 7-8 and 21-23 were directed to an invention that is independent or distinct from the invention originally claimed. Specifically, it was asserted that Applicants claim subject matter drawn to non-elected Species II shown in FIG. 3 by specifying "each of the elastomeric materials including an electrode disposed at least partially therein." It was also stated in the Office Action that "[s]ince applicant has received an office action on the merits for the originally presented invention (Species I shown in FIG. 2, elected without traverse), this invention has been constructively elected by original presentation for prosecution on the merits."

To expedite prosecution, Applicants have accordingly amended Claims 1 and 21-23 to remove the language "at least partially." Thus, the portion of the claims now reads, "each of the elastomeric materials including an electrode disposed therein." Applicants believe that amended independent Claims 1 and 21-23, and the claims that depend therefrom, are directed towards an elected invention (Species I), and are thus able to be considered by the Examiner.

In view of the foregoing amendments and remarks, it is respectfully submitted that all claims presently pending in the application, namely Claims 1-5, 7-8 and 21-23, are believed to be in condition for allowance.

If the Examiner should have any questions concerning this communication or feels that an interview would be helpful, the Examiner is requested to call the Applicants' undersigned attorney at the Examiner's convenience.

Respectfully submitted,



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